



DEPARTMENT OF LABOR
Employment and Training Administration

Notice of Determinations Regarding Eligibility
to Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended (19 USC 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of November 13, 2012 through November 16, 2012.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Under Section 222(a)(2)(A), the following must be satisfied:

- (1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the sales or production, or both, of such firm have decreased absolutely; and
- (3) One of the following must be satisfied:
 - (A) imports of articles or services like or directly competitive with articles produced or services supplied by such firm have increased;
 - (B) imports of articles like or directly competitive with articles into which one or more component parts produced by such firm are directly incorporated, have increased;
 - (C) imports of articles directly incorporating one or more component parts produced outside the United States that are like or directly competitive with imports of articles incorporating one or more component parts produced by such firm have increased;
 - (D) imports of articles like or directly competitive with articles which are produced

directly using services supplied by such firm,
have increased; and

- (4) the increase in imports contributed importantly to such workers' separation or threat of separation and to the decline in the sales or production of such firm; or

II. Section 222(a)(2)(B) all of the following must be satisfied:

- (1) a significant number or proportion of the workers in such workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;

- (2) One of the following must be satisfied:

- (A) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm;

- (B) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm; and

- (3) the shift/acquisition contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in public agencies and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(b) of the Act must be met.

- (1) a significant number or proportion of the workers in the public agency have become totally or partially separated, or are threatened to become totally or partially separated;

- (2) the public agency has acquired from a foreign country services like or directly competitive with services which are supplied by such agency; and

- (3) the acquisition of services contributed importantly to such workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected secondary workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(c) of the Act must be met.

- (1) a significant number or proportion of the workers in the workers' firm have become totally or partially separated, or are threatened to become totally or partially separated;
- (2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, and such supply or production is related to the article or service that was the basis for such certification; and
- (3) either-
 - (A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or
 - (B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

In order for an affirmative determination to be made for adversely affected workers in firms identified by the International Trade Commission and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(f) of the Act must be met.

- (1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in--

- (A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);
 - (B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or
 - (C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));
- (2) the petition is filed during the 1-year period beginning on the date on which--
 - (A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the Federal Register under section 202(f)(3); or
 - (B) notice of an affirmative determination described in subparagraph (1) is published in the Federal Register; and
- (3) the workers have become totally or partially separated from the workers' firm within--
 - (A) the 1-year period described in paragraph (2); or
 - (B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

AFFIRMATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE

The following certifications have been issued. The date following the company name and location of each determination references the impact date for all workers of such determination.

The following certifications have been issued. The requirements of Section 222(a)(2)(B) (shift in production or services) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
81,952	American Airlines, Dallas-FT. Worth International Airport, Aerotek, Cornerstone RPC, etc	DFW International Airport, TX	September 6, 2011
81,990	American Airlines, Tulsa International Airport, Aerotek, Cornerstone Staff, RPC Staffing, etc.	Tulsa, OK	September 19, 2011
81,999	Ferrara Candy Company, Inc., Formerly Known as Farley's & Sathers Candy Company, Inc.	Round Lake, MN	August 13, 2012
81,999A	Ferrara Candy Company, Inc., Formerly Known as Farley's & Sathers Candy Company, Inc.	Chicago, IL	September 21, 2011
82,018	American Airlines, Alliance Maintenance Base, Aerotek, Cornerstone, RPC, Henderson,	Fort Worth, TX	September 26, 2011

	etc.		
82,034	DB Hedgeworks, LLC, Deutsche Bank, AG, Advantage Professional	Santa Ana, CA	October 2, 2011
82,069	UTC Aerospace Systems, fka Hamilton Sundstrand, Air Management Systems Division	Windsor Locks, CT	October 9, 2011
82,094	Anthem Insurance Companies, Inc., Wellpoint, Inc., Bluecard Home Claims Operations Division	Cape Girardeau, MO	June 9, 2012
82,094A	Anthem Insurance Companies, Inc., Wellpoint, Inc., Group Claims Operations Division	Springfield, MO	June 9, 2012
82,094B	Anthem Insurance Companies, Wellpoint, Inc., Group Claims Operations Division	Platteville, WI	June 9, 2012
82,094C	Anthem Insurance Companies, Inc., Wellpoint, Inc., Enrollment and Billing	Cape Girardeau, MO	June 9, 2012

	Division		
82,098	Choice Hotels International, Inc., Call Center Operations	Grand Junction, CO	October 18, 2011
82,103	American Airlines, O'Hare International Airport, Aerotek, Cornerstone, RPC, Henderson, Johnson	Chicago, IL	October 18, 2011
82,115	Cinch Connectors, Inc., Belfuse, Express Personnel Services, and Penmac Personnel Services	Vinita, OK	October 29, 2011
82,116	Heraeus Kulzer, LLC, People Link Staffing and Forge Staffing	South Bend, IN	October 30, 2011
82,120	Welch Allyn Inc., Finance Department, Kelly Services and Contemporary Personnel	Skaneateles Falls, NY	October 31, 2011
82,126	Covidien Plc, Cash Application and Invoice Adjustments Department, Kelly Services	Mansfield, MA	November 1, 2011

The following certifications have been issued. The requirements of Section 222(c) (supplier to a firm whose workers are certified eligible to apply for TAA) of the Trade Act have been met.

TA-W number	Subject firm	Location	Impact date
82,024	Thermo King Corporation, Ingersoll-Rand, Manpower and Aerotek Professional Services	Louisville, GA	October 1, 2011
82,031	Kinder Morgan Bulk Terminals, Inc., 1575 Sparrows Point Boulevard, Baltimore, MD, 21219	Baltimore, MD	September 28, 2011
82,114	BRP US, Inc., Bombardier Recreational Products, Outboard Engine Division, Manpower	Spruce Pine, NC	October 31, 2011

NEGATIVE DETERMINATIONS FOR WORKER ADJUSTMENT ASSISTANCE

In the following cases, the investigation revealed that the eligibility criteria for worker adjustment assistance have not been met for the reasons specified.

The investigation revealed that the criterion under paragraph (a)(1), or (b)(1), or (c)(1)(employment decline or threat of separation) of section 222 has not been met.

TA-W number	Subject firm	Location	Impact date
82,104	Kohler Company	Kohler, WI	
82,104A	Sauk Technologies, Generator Division	Saukville, WI	

The investigation revealed that the criteria under paragraphs (a)(2)(A)(i) (decline in sales or production, or both) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W number	Subject firm	Location	Impact date
82,109	ArcelorMittal Georgetown, Inc., ArcelorMittal USA	Georgetown, SC	

The investigation revealed that the criteria under paragraphs (a)(2)(A) (increased imports) and (a)(2)(B) (shift in production or services to a foreign country) of section 222 have not been met.

TA-W number	Subject firm	Location	Impact date
82,107	Sub-Zero Group, Inc., UI Wages	Madison, WI	

	Through Sub-Zero, Inc. & Wolf Appliances, Inc.		
--	--	--	--

I hereby certify that the aforementioned determinations were issued during the period of November 13, 2012 through November 16, 2012. These determinations are available on the Department's website [tradeact/taa/taa search form.cfm](http://tradeact/taa/taa_search_form.cfm) under the searchable listing of determinations or by calling the Office of Trade Adjustment Assistance toll free at 888-365-6822.

ELLIOTT S. KUSHNER
Certifying Officer, Office
of Trade Adjustment Assistance
Date: November 26, 2012

4510-FN-P

[FR Doc. 2013-00100 Filed 01/07/2013 at 8:45 am; Publication Date: 01/08/2013]